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UBER TECHNOLOGIES, INC., RASIER, LLC,
and RASIER-CA, LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC., PASSENGER SEXUAL ASSAULT LITIGATION	Case No. 3:23-md-03084-CRB **DECLARATION OF CHRISTOPHER COX PURSUANT TO ECF 3969**
This Document Relates to: ALL ACTIONS	Judge: Hon. Lisa J. Cisneros Courtroom: G – 15th Floor

1   I, Christopher Cox, declare the following:

2   1.   I am over the age of 18 and am a resident of Darien, Connecticut.

3   2.   I am a partner at the law firm of Kirkland & Ellis LLP, attorneys of record for

4   Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC ("Uber"). I am a member

5   in good standing of the Bar of the State of New York. I know the following facts to be true of my

6   own knowledge, except those matters stated to be based on information and belief, and if called to

7   testify, I could competently do so.

8   3.   I submit this declaration pursuant to this Court's Order (ECF 3969).

9   **August 2024: Uber Produces to MDL Plaintiffs Document Identifying Flack Logic**

10   4.   **Exhibit 1** is a true and correct copy of an excerpt from

11   UBER_JCCP_MDL_000031197, a document that identifies the three ticket data sources (Jira,

12   Bliss, and Zendesk) used by Uber to record reported incidents and states the following: "Flack

13   ingests from the three ticket data sources, then, for each ticket, approximates the closest

14   classification in Safety Standard Taxonomy. Finally, Flack uses logic to combine multiple tickets

15   on the same trip_uuid to a single event."

16   5.   Uber produced this document to MDL Plaintiffs in August 2024. *See* **Exhibit 2** (true

17   and correct copy of letter identifying production of UBER_JCCP_MDL_0000000001 to

18   UBER_JCCP_MDL000184677).

19   **April 2025: Katherine McDonald Testifies Regarding Flack and Flack Logic**

20   6.   **Exhibit X** is a true and correct copy of excerpts from the transcript of the JCCP

21   PMK Deposition of Katherine McDonald, No. CJC-21-005188 (Apr. 24, 2025). The deposing

22   attorney was Brian Abramson (*see* **Ex. X** at 6), who is a member of MDL Plaintiffs' Leadership

23   (*see* PTO 4 at 3 (ECF 152)), and other MDL Plaintiffs' counsel attended the deposition. *See* **Ex. X**

24   at 3-4 (identifying Kristina Berkover (Simmons Hanly Conroy), Sara Craig (Peiffer Wolf), Tiffany

25   Ellis (Peiffer Wolf), Michael Sweet (Chaffin Luhana), and Beth Wilkins (Chaffin Luhana) as

26   attendees).

27   7.   Plaintiffs'   counsel   questioned   Ms.   McDonald   regarding

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1   UBER_JCCP_MDL_000031197 (attached as **Exhibit 1**) and marked the document as an exhibit to

2   the deposition. Mr. Abramson specifically questioned Ms. McDonald about the language quoted in

3   paragraph 4 above. **Ex. X** at 42:19-46:8.

4   8.   Ms. McDonald testified that Flack uses "the trip UUID, which is the unique

5   identifier associated to a given trip, to be able to consolidate and be able to identify all the tickets

6   related to that given trip." **Ex. X** at 46:4-8.

7   9.   Plaintiffs' counsel also questioned Ms. McDonald regarding another Uber-produced

8   document, stating the number of serious incidents that occur in the U.S. and Canada on average per

9   day and noting that the incident data in the document was sourced from Flack. **Ex. X** at 94:7-18.

10   10.   **Exhibit Y** is a true and correct copy of excerpts from the transcript of the MDL

11   30(b)(6) Deposition of Katherine McDonald, No. 3:23-md-03084-CRB-LJC (Apr. 25, 2025).

12   11.   "Flack" was referenced 40 times during the April 25 deposition, in questions by

13   MDL Plaintiffs' counsel and in testimony by Ms. McDonald. *See* **Ex. Y** (index identifying 40

14   "Flack" references).

15   12.   MDL Plaintiffs' counsel asked Ms. McDonald whether "Flack contain[s] any

16   information *from reports* that are originally put into Bliss that is not stored in Bliss," to which Ms.

17   McDonald responded, "No." **Ex. Y** at 108:19-23 (emphasis added).

18   13.   MDL Plaintiffs' counsel then asked Ms. McDonald, "Is there ***anything*** in Flack

19   that's not in Bliss or Jira?" Ms. McDonald responded that ". . . [t]here are additional tables that

20   enrich that information. For example, the Bliss system does not actually have a dropdown for

21   reported-against. . . . So there is, you know, additional columns and logic using the information

22   from Bliss or Jira to enrich it . . . ." **Ex. Y** at 110:13-24 (emphasis added).

23   14.   MDL Plaintiffs' counsel then asked Ms. McDonald, "What are those additional

24   columns and logic?" Ms. McDonald responded, ". . . "Bliss does not have a reported-against field"

25   and then continued by explaining Flack's "reported-against-possible field" and the "reported-

26   against-probable field," which she testified were "examples of fields that Uber has created to enrich

27   the original Bliss information . . . ." **Ex. Y** at 111:21-25; 112:8-113:6. Ms. McDonald also testified

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1   that Flack includes "a category and a subcategory column." **Ex. Y** at 114:2-8. Ms. McDonald

2   testified that "there are additional columns and enrichment," but she could not recall all of the Flack

3   fields off the top of her head. **Ex. Y** at 113:7-114:1.

4   **April 2025: MDL Plaintiffs Acknowledge Ms. McDonald's Flack-Related Testimony**

5   15.   **Exhibit 3** is a true and correct copy of a draft PTO 8 letter brief that MDL Plaintiffs'

6   counsel sent to Defendants' counsel on April 30, 2025, in which MDL Plaintiffs specifically

7   referenced Ms. McDonald's April 24 and 25, 2025 testimony: "McDonald additionally testified

8   that, in addition to Bliss and JIRA, Uber uses a system called Flack to logically 'combine multiple

9   tickets on the same trip UUID to a single event.' This system . . . also has additional fields upon

10   which Uber relies to determine whether violence was, for example, committed on a rider or driver."

11   **Ex. 3** at 2.

12   **July 2025: Todd Gaddis Does Not Reference Flack in Deposition**

13   16.   **Exhibit 4** is a true and correct copy of an index excerpt from the transcript of the

14   MDL 30(b)(6) Deposition of Todd Gaddis, No. 3:23-md-3084-CRB-LJC (July 11, 2025), showing

15   that Flack was not discussed during his deposition. *See* ECF 3914 at 7 n.10; ECF 3700 at 7.

16   I declare under penalty of perjury under the laws of the United States of America that the

17   foregoing is true and correct.

18   Executed on September 23, 2025, in Darien, Connecticut.

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20   */s/Christopher Cox*
                                        Christopher Cox

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